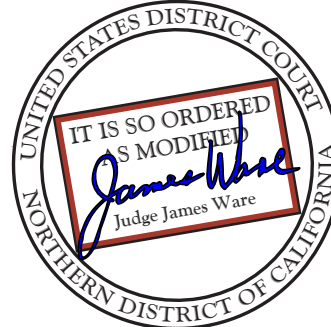


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Attorneys for Defendant, Rager, Bell, Daskocil, and Meyer and Brad Daskocil, CPA,  
Appearing Specially

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

Steve Nerayoff,  
Plaintiff(s),  
vs.  
Rager, Bell, Daskocil and Meyer, et al. ,  
Defendant(s).

CASE NO.: C 07-03101 JW

1. JOINT STIPULATED REQUEST FOR  
AN ORDER CONTINUING CASE  
MANAGEMENT CONFERENCE AND  
RESPONSE DATE

2. DECLARATION OF STEPHANIE  
SESSIONS PERKINS IN SUPPORT  
THEREOF [FILED CONCURRENTLY  
HEREWITH]

3. [PROPOSED] ORDER

STIPULATION AND [PROPOSED] ORDER

NOW COME the Parties, Plaintiff Steven Nerayoff ("Plaintiff") and Defendants Rager, Bell, Daskocil and Meyer ("RBDM") and Brad Daskocil ("Daskocil")(all parties herein are collectively referred to as the "Parties"), by and through their counsel of record and as a stipulation in the above-referenced matter, state as follows:

1. Defendants RBDM and Brad Daskocil appear specially before the Court in this Joint Stipulation and Request for the sole purpose stated herein and do not waive any and/or all

1 objections that may be asserted as to venue. Further this stipulation is entered into and this special  
2 appearance is made by RBDM and/or Dorskocil's without any prejudice to RBDM and/or  
3 Dorskocil's ability to bring a motion to dismiss this action and/or to bring a motion for an Order  
4 dismissing and/or transferring this action on the grounds that venue in the Northern District is  
5 improper.

6         2.       The parties enter this stipulation and seek a continuance of the 1) deadline to file  
7 the Joint Case Management Conference Statement currently due to be filed on November 9, 2007;  
8 2) Case Management Conference currently scheduled for November 19, 2007; and 3) RBDM's  
9 and Dorskocil's deadline to respond to the Complaint currently scheduled for November 9, 2007.  
10 This stipulation is entered into on the grounds that a) Defendant's RBDM and Dorskocil were only  
11 recently served with the Summons and Complaints and have not yet appeared; b) the Parties are  
12 jointly investigating the facts and circumstances upon which this action is predicated in an effort  
13 to informally resolve issues regarding venue and pursue possible tolling agreements pending the  
14 outcome of related matters pending in the United States Tax Court and/or with the Internal  
15 Revenue Service.

16         3.       Therefore, further investigation into the facts, circumstances, and issues in this case  
17 merit a continuance of the case management conference to December 19, 2007 and an extension  
18 of time for Defendants to respond to the Complaint to December 9, 2007. Such time will afford  
19 the Parties a reasonable period of time to investigate the above-referenced matters to minimize  
20 the burden on the Court and, if they are not able to resolve these matters informally, to properly  
21 respond and/or take other action to insure prompt and efficient resolution of this matter.

22 ///

23 ///

The Parties hereby stipulate and jointly request that:

1. The date for the Case Management conference is continued to **December 17, 2007 at 10 am.** and the deadline for the Parties' Joint Case Management Statement is continued to **December 7, 2007.**

2. The date for RMDM's and Dockocil's responses to the Complaint shall be extended to **December 7, 2007**.

3. The Parties be allowed to reserve their right to seek further enlargement of time and propose a modified case management plan consistent with the Standing Order for All Judges of the Northern District of California, Contents of Joint Case Management Statement.

DATED: November \_\_, 2007

**CHAPMAN, GLUCKSMAN & DEAN**  
A Professional Corporation

By:

Stephanie Sessions Perkins, Esq.

Attorneys for Specially Appearing Defendants  
RBDM Rager Meyers Accountancy Corporation  
and Brad Daskocil, CPA

DATED: November , 2007

**RICE & BRONITSKY**  
A Professional Corporation

By:


/s/

Paul E. Rice, Esq.

Attorneys for Plaintiff, Steven Nerayoff

1 PURSUANT TO STIPULATION, **IT IS SO ORDERED AS MODIFIED.**

2  
3 DATED: November 13, 2007

4   
The Honorable James Ware  
JUDGE OF THE UNITED STATES DISTRICT  
COURT FOR THE NORTHERN DISTRICT OF  
CALIFORNIA